

## EXHIBIT A



Docket No.: K2020.0004/P004  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kunio Moriyama et al.

Application No.: 10/790,178

Confirmation No.: 3537

Filed: March 2, 2004

Art Unit: 2881

For: PARTICLE BEAM THERAPY SYSTEM

Examiner: J. J. Leybourne

**LETTER REGARDING PREVIOUSLY SUBMITTED INFORMATION**  
**DISCLOSURE STATEMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

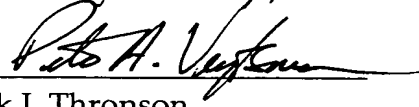
Upon review of the subject application, it was noted that the PTO/SB/08 forms returned to Applicants do not match the subject application, but rather belong to application serial no. 10/790,850 (attorney docket no. K2020.0006/P006). Applicants respectfully request that the PTO/SB/08 forms submitted with the subject application be initialed and returned to Applicants.

For the Examiner's convenience, attached herewith as Exhibit A are two Information Disclosure Statements and accompanying PTO/SB/08 forms submitted with the subject application. Attached as Exhibit B are the PTO/SB/08 forms initialed and returned, but which belong to application serial no. 10/790,850.

Dated: February 20, 2007

Respectfully submitted,

By



Mark J. Thronson

Registration No.: 33,082

Peter A. Veytsman

Registration No.: 45,920

DICKSTEIN SHAPIRO LLP

1825 Eye Street NW

Washington, DC 20006

(202) 785-9700

Attorneys for Applicant

Atty Docket No.: K2020.0004/P004

Inventor: Kunio Moriyama et al.

Application No.: Not Yet Assigned  
Title: PARTICLE BEAM THERAPY SYSTEM

Filing Date: Concurrently Herewith

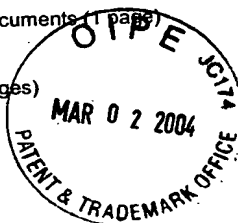
**Documents Filed:**

- Utility Patent Application Transmittal (1 page)
- Fee Transmittal (1 page)
- Specification (80 pages)
- Drawings (19 sheets)
- Claim for Priority and Submission of Documents (1 page)
- Certified copies of Priority documents
- Information Disclosure Statement (2 pages)
- IDS (Citation) by Applicant (1 page)
- Copies of Information Disclosure Citations
- Payment by credit card. Form PTO-2038 is attached (1 page)
- Charge \$1,028.00 to credit card

Via:

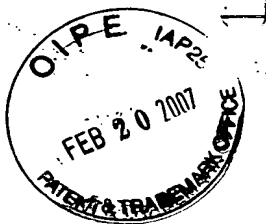
Sender's Initials: MJT/sle

Date: March 2, 2004



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Docket No.: K2020.0004/P004  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kunio Moriyama et al.

Application No.: Not Yet Assigned

Confirmation No.:

Filed: Concurrently Herewith

Art Unit: N/A

For: PARTICLE BEAM THERAPY SYSTEM

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

Application No.: Not Yet Assigned

Docket No.: K2020.0004/P004


admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. K2020.0004/P004. A duplicate copy of this paper is enclosed.

Dated: March 2, 2004

Respectfully submitted,

By 

Mark J. Thronson

Registration No.: 33,082

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Kunio Moriyama
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	K2020.0004/P004

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5585642	12-17-1996	Britton	
	AB	US-5,895,926	04-20-1999	Britton	
	AC	US-4870287	09-26-1989	Cole	
	AD	US-5260581	11-09-1993	Lesyna	
	AE	US-6580084	06-17-2003	Hiramoto	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	JP-11-501232	02-02-1999			
	BB	JP-2001-85200	03-30-2001			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Inventor:** Kunio Moriyama et al.

**Atty Docket No.:** K2020.0004

**Application No.:** 10/790,178-Conf. #3537  
**Title:** PARTICLE BEAM THERAPY SYSTEM

**Filing Date:** March 2, 2004

**Documents Filed:**

PTO SB/08 (1 page) (4 References)

Information Disclosure Statement (2 pages in duplicate)

European Search Report (4 pages)

**Via:** PTO DAILY RUN

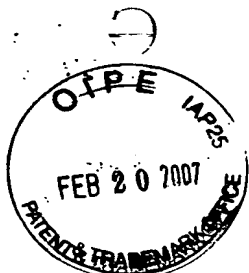
**Sender's Initials:** MJT/PAV/cdl

**Date:** July 11, 2005



m.b.





Docket No.: K2020.0004/P004  
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Art Unit: 2881

For: PARTICLE BEAM THERAPY SYSTEM

Examiner: Not Yet Assigned

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Dear Sir:

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This Information Disclosure Statement is being filed before the mailing of a first Office action on the merits, as best known to the undersigned. 37 CFR 1.97(b)(3). The references listed on the attached PTO/SB/08 were cited in a European search report issued in corresponding EPC applications. A copy of the search report is attached. Copies of U.S. patent documents are not provided. Copies of non-U.S. patent documents are attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(b) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any

patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. K2020.0004. A duplicate copy of this paper is enclosed.

Dated: July 11, 2005

Respectfully submitted,

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Mark J. Thronson

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DICKSTEIN SHAPIRO MORIN & OSHINSKY  
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Washington, DC 20037-1526

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Attorneys for Applicants



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2008. OMB 0651-0031  
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				Application Number	10/790,178-Conf. #3537
				Filing Date	March 2, 2004
				First Named Inventor	Kunio Moriyama
				Art Unit	2881
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	K2020.0004/P004
Sheet	1	of	1		

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		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-5,260,581	11/09/1993	Lesyna et al.	
	AB	US-5,585,642	12/17/1996	Britton et al.	

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	BA	WO 02/45793 A2	06/13/2002			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	W.P. JONES et al., Design of a Beam Transport System for a Proton Radiation Therapy Facility, Proceedings of the 1999 Particle Accelerator Conference, New York, 1999, pgs. 2519-2521.	

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Examiner Signature		Date Considered	
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